

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In RE: Mary Anne Kazlauskas Debtors	Case No.:16-18741-amc Chapter 13
PHH Mortgage Corporation Movant	Hearing Date: 2/2/2022 Hearing Time: 11:00 A.M.

DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Now comes Mary Anne Kazlauskas ("Debtor") by and through her attorneys, Legal Aid of Southeastern Pennsylvania, and responds to the creditor's motion for relief filed by PHH Mortgage Corporation on January 3, 2022 at Docket # 124 as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Denied. Debtor worked directly with Bucks County to enter into a payment plan for the property taxes.
9. Denied. Debtor will attempt to negotiate with secured creditor to determine if a payment arrangement outside of the Bankruptcy Plan or modification of the loan may be feasible. Alternatively, Debtor may modify Chapter 13 plan to include post-petition arrears while maintaining ongoing obligations outside of plan. This amended plan will adequately protect the interest of the secured creditor.
10. Denied. The amount is calculated incorrectly.
11. Denied. The value of property is considerably higher.

- 12.** Denied. As there is equity in the property, there is adequate protection of an interest in property. Even if Movant is entitled to relief from the stay, the stay should not be terminated. The Court should grant less drastic relief by conditioning or modifying the stay. Debtor should be given the opportunity to modify her Chapter 13 plan to include payments on post-petition arrearages or otherwise communicate with Movant to cure the arrears outside the plan. Movant has not shown the irreparable harm necessary to justify lifting the stay.
- 13.** Denied. Debtor is working directly with Bucks County to pay the taxes directly.
- 14.** Denied. Cause does not exist due to the equity in the home.
- 15.** Denied. Debtor intends to continue to reside in the household by making appropriate payments.

WHEREFORE, Debtor prays that the Movant's motion be dismissed.

Date: 1/12/2022

/s/ Robert N. Kim

Robert N. Kim, Esquire

Attorney ID #323856

Attorney for Debtor

Legal Aid of Southeastern PA

1290 Veterans Hwy., Box 809

Bristol, PA 19007

(215) 781-1111 / (215) 781-1116 fax

rkim@lasp.org